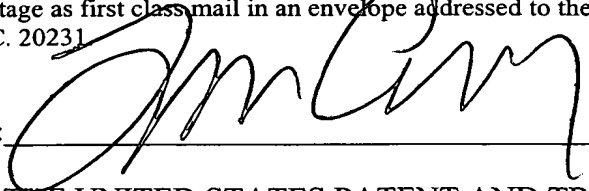


2152



Docket No.: F-8079

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

By: 

Date: February 1, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris Ricci  
Applic. No. : 10/017,636  
Filed : November 21, 2001  
Title : Method for Distributing and Licensing Digital Media  
Attention : Office of Petitions

PETITION UNDER 37 C.F.R. 1.10(c)

Hon. Commissioner of Patents and Trademarks,  
Washington, D. C. 20231

Sir:

The facts leading to this petition are as follows:

The above-identified application was filed by the "Express Mail Post Office to Addressee" service of the US PS by virtue of deposit on November 21, 2001. Therefore, the filing date accorded to this application by the Office should be November 21, 2001. However, the postcard which accompanied the application was returned by the PTO with an incorrect filing date of December 18, 2001.

Enclosed herewith, in accordance with Rule 1.10 (c), is:

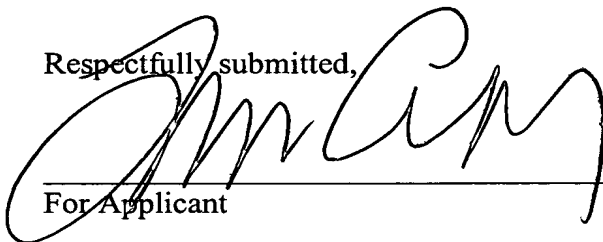
- a copy of the cover sheet accompanying the application papers with a mailing certificate under 37 C.F.R. 1.10 properly executed on November 21, 2001;
- a copy of an Internet Print-Out of the US PS certifying that the papers mailed under Express Mail Label No. EL758653362US were accepted at the Post Office on November 21, 2001.
- a copy of the postcard
- a declaration by the mail clerk



In view of the foregoing, applicants request that the filing date be corrected to show November 21, 2001

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
\_\_\_\_\_  
For Applicant

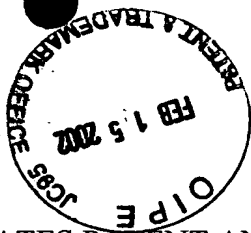
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LAURENCE A. GREENBERG  
REG. NO. 29,308

Date: February 1, 2002

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101  
/bb

Docket No.: F-8079



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris Ricci  
Applic. No. : 10/017,636  
Filed : November 26, 2001  
Title : Method for Distributing and Licensing Digital Media  
Attention : Office of Petitions

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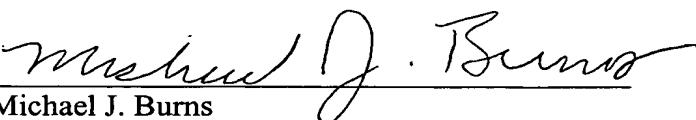
DECLARATION

TO ACCOMPANY PETITION UNDER 37 C.F.R. 1.10(c)

I, Michael J. Burns, hereby declare that:

- ❖ I have first-hand knowledge that the above-identified application was sent by Express Mail to the Patent and Trademark Office on November 21, 2001.
- ❖ I personally signed the mailing certificate on the cover sheet which accompanied the new US application.
- ❖ I have reviewed the pertinent pages of the outgoing mail log for November 21, 2001, and the pages show that the enclosed papers were indeed mailed by Express Mail on that date.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Michael J. Burns

Date: February 1, 2002

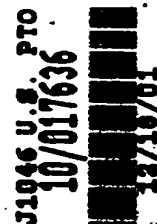


CKET NO. F-8079..... Mailed ... November 21, 2001

APPLIC. NO. .... Express Mail EL758653362US.  
The stamp of the Patent Office hereon may be considered the date on which  
papers indicated below were received.

Applic pgs <sup>27</sup> Rule 53b New ☒ Contin ☐ Div ☐ CIP ☐ / Rule 53c Prov. ☐ / Rule 53d CPA ... RCE ☐  
☐ CIP ... pgs ☐ Design ☒ <sup>5</sup> Dwgs ☒ Declaration ☐ Mailing Certif.  
☐ Priority Claim ☐ Cert. Prior. Doc(s) ☐ PCT Cover Sheet WO .....  
☐ Amend pgs ... ☐ Prel. Amend pgs ... ☐ Letter  
☐ Response pgs ... ☐ 37CFR1.116 ☐ Not. of Appeal  
☐ Brief pgs ... ☐ Appndx pgs ... ☐ I.D.S. + ... Refs  
☐ Assoc Pwr of Atty ☒ Credit Card \$ <sup>505.00</sup>  
☐ Pet. for Ext ... Mo. ☐ Pet. .... ☐ Check \$ ....  
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Herbert L. Lerner (NY Bar)  
Laurence A. Greenberg (FL Bar)

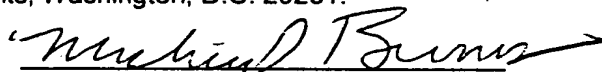
Werner H. Stemer (FL Bar), Senior Attorney

Ralph E. Locher (FL, IL, MO Bars)  
Manfred Beck (US & German Pat. Agent)  
Mark P. Weichselbaum (TN Bar)  
Gregory L. Mayback (FL Bar)  
Markus Nollf (FL Bar)  
Loren Donald Pearson (FL Bar)  
Otto S. Kauder (Reg. Pat. Agent)  
Denise A. Lettau (DC Bar)

"Express Mail" mailing label number: EL758653362US  
Date of Deposit November 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Docket No.: F-8079

  
MICHAEL BURNS

Date: November 21, 2001

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Sir:

Technology Center 2100

Enclosed herewith are the necessary papers for filing the following application for Letters Patent:

Applicant : CHRIS RICCI

Title : METHOD FOR DISTRIBUTING AND LICENSING DIGITAL MEDIA

5 sheets of formal drawings.

The payment in the amount of \$505.00 covering the filing fee (applicant is eligible for small entity status).

The Patent and Trademark Office is hereby given authority to charge Deposit Account No. 12-1099 of Lerner and Greenberg, P.A. for any fees due or deficiencies of payments made for any purpose during the pendency of the above-identified application.

Respectfully submitted,



For Applicant  
LAG:cp

WERNER H. STEMER  
REG. NO. 34,956